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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:	)	Docket No.:	4240-104
Applicants: JUNG, Hee Tae, et al.	)	Conf. No.:	9621
Application No.: 10/805,044	)	Art Unit:	1639
Date Filed: March 19, 2004	)	Examiner:	Christopher M. Gross
Title: METHOD FOR FABRICATING A BIOCHIP USING THE HIGH DENSITY CARBON NANOTUBE FILM OR PATTERN	)	Customer No.:	23448

**FACSIMILE TRANSMISSION CERTIFICATE**

ATTN: Examiner Christopher M. Gross

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Number of Pages

Steven J. Hultquist

November 13, 2006

Date

**RESPONSE TO RESTRICTION REQUIREMENT IMPOSED IN OCTOBER 13, 2006  
OFFICE ACTION IN U.S. PATENT APPLICATION NO. 10/805,044**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

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In response to the Office Action dated October 13, 2006 in the above-identified U.S. patent application, wherein a restriction requirement was imposed against originally filed claims 1-31, as between the following claim groups:

- I. Claims 1-6, 15-21 drawn to method of preparing a carbon nanotube (CNT) film, classifiable in class 437, subclass 903;
- II. Claims 7, 22, 30, 31 drawn to high density CNT film, classifiable in class 427 subclass 58; and
- III. Claims 8-14, 23-29, drawn to a method for fabricating a CNT biochip, classifiable in class 435, subclass DIG 22.

applicants hereby elect **Group III claims 8-14 and 23-29**.

Such election is **without traverse**, and it therefore is requested that the non-elected claims of Groups I and II be held in abeyance, pending filing of one or more divisional patent application(s) directed to the subject matter thereof, during the pendency of the present application, or during the pendency of a further divisional or continuation application, based on and claiming the priority of the present application.

At page 4 of the October 13, 2006 Office Action, a species election requirement was imposed under 35 USC 121. As applicable to the Group III claims elected herein<sup>1</sup>, species are required to be identified for the **bio-receptor**, from among the species of claims 11 and 26, as well as for the **"interface" chemical**, from among the species of claim 24.

Concerning the **bio-receptor** species of claims 11 and 26, applicants hereby elect **protein**.

Concerning the **"interface" chemical** species of claim 24, applicants hereby elect **H<sub>2</sub>N-R<sub>1</sub>-NH<sub>2</sub>** wherein R<sub>1</sub> is C<sub>1</sub>-C<sub>20</sub> **saturated hydrocarbon**, e.g., **-CH<sub>2</sub>CH<sub>2</sub>-**.

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<sup>1</sup> The other species, of the **substrate** and the **CNT film chemical functional group**, are inapplicable to the elected claims 8-14 and 23-29

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At page 5 of the October 13, 2006 Office Action, a requirement of identification of the claims encompassing the elected invention was imposed.

In response, the elected claims readable on the elected protein species are identified as claims 8-11, 13, 23-26, and 28.

The elected claims readable on the elected  $H_2N-R_1-NH_2$  wherein  $R_1$  is  $C_1-C_{20}$  saturated hydrocarbon, e.g.,  $-CH_2CH_2-$ , are identified as claims 8-14 and 23-29.

It therefore is requested that prosecution of this application proceed on the basis of the foregoing election of claims and species.

Respectfully submitted,



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